

Applicant appreciates the thorough and complete examination and the helpful remarks that were incorporated by the Examiner in the Office Action. Claims 23, 26-31, 35-39, and 42 remain pending in this application. Claims 23, 30, and 39 are the independent claims under consideration. All of the pending claims stand rejected under 35 U.S.C. § 112 and/or 35 U.S.C. § 103. Reconsideration in light of the present amendments is respectfully requested.

In general, applicant has amended each of the independent claims (23, 30, and 39) to include the limitation that the photosensitive layer changes to become transparent upon illumination of the light source. Applicant has also corrected a number of the dependent claims to refer to the photosensitive lighting fixture, rather than the photochromic lighting fixture.

In the Office Action, the Examiner objected to the specification as failing to provide proper antecedent basis for the subject matter of claims 31 and 32. Additionally, claims 31-35 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has canceled claims 32-34, and has amended claims 31 and 35. Amended claim 31 recites that the first type of lighting condition is ultra-violet rays and no longer refers to sunlight or the absence of sunlight. Support for the recitation of ultra-violet rays may be found in the specification on page 2, line 18. Consequently, the objection to the specification and the rejections under 35 U.S.C. § 112, second paragraph should be withdrawn.

Claims 23, 24, 26-33, 35-37, and 39-42 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Todd U.S. Patent No. 3,911,315 in view of Blum U.S. Patent No. 4,929,865. Amended independent claims 23, 30, and 39 include the recitation that the photosensitive lighting fixture include a photosensitive layer at least partially covering the light source, wherein the photosensitive layer is in a low transmittance state under ambient lighting

conditions and becomes transparent upon illumination of the light source. The Todd patent, taken alone or in combination with the Blum patent, does not teach or suggest these limitations.

Todd discloses a cathode ray tube having a cathodochromic image screen that changes transmittance states from a first color to a second color upon illumination from ultra-violet lamps. There is no mention or suggestion in the Todd patent that the cathodochromic image screen would change to become transparent upon illumination of the ultra-violet lamps, as recited in the presently amended independent claims. As such, independent claims 23, 30, and 39 (and each claim depending therefrom) are patentably distinct from Todd. Withdrawal of the rejections based on the Todd reference is respectfully requested.

Claims 23-27, 29-35, and 37-42 were rejected under § 103(a) as being allegedly unpatentable over Kobayashi et al. U.S. Patent No. 4,954,937 in view of Nilssen U.S. Patent No. 4,688,154. Kobayashi et al. discloses a lighting lamp having a display sheet laminated on its surface that contains a pigment that is faded by the illumination of the lamp source over time. The purpose of Kobayashi's display sheet is to detect and display the life of the lamp before termination of the lamp's life. In contrast, applicant's photosensitive layer does not serve to measure the life of a lamp, but is used to aesthetically conceal the lighting fixture by way of, for example, a lens covering. Importantly, Kobayashi et al. does not disclose or suggest the use of a photosensitive layer that becomes transparent as the light source is illuminated, as recited in each of the presently amended independent claims. Rather, Kobayashi's display sheet gradually fades over time (e.g., 12,000 hours in example no. 1). Applicant's invention is different from the prior art and withdrawal of the rejection based on Kobayashi is respectfully solicited.

For the foregoing reasons, applicant believes that the present application is in condition for allowance and respectfully requests such action. If any outstanding issues remain herein, the Examiner is respectfully requested to telephone the undersigned at (314) 259-2619 to expedite the resolution of such issues.

Respectfully submitted,

By:

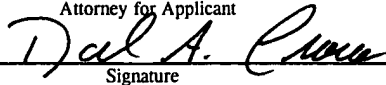


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Date of Signature